

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HEINRICH BOLLMANN ET AL
Serial No. : 09/456,371 **Group Art Unit:** 1771
Docket No.: 12010 **Examiner:** V. Chang
Filed : December 8, 1999
Title Composite Elements Comprising (i) Thermoplastic Polyurethane and (ii) Microcellular Polyurethane Elastomers

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby appeals from the Examiner's Final Rejection mailed September 25, 2006. As set forth in MPEP 1204.01 and in compliance with 37 CFR 41.20, any previously paid appeal fees will be applied to the new appeal on the same application as long as a final Board decision has not been made on the prior appeal.

Currently, the fee associated with a Notice of Appeal is \$500. Previously on September 17, 2003, Applicant filed a Notice of Appeal and the fee of \$320.00. This appeal was voluntarily dismissed by Applicant by filing a Request for Continued Examination (RCE) on November 14, 2003.

On July 26, 2004, Applicant again filed a Notice of Appeal with the fee of \$330.00. On August 25, 2005 the Applicant filed a second Request for Continued Examination (RCE) and voluntarily dismissed the pending appeal.

As the Applicant has previously paid a total of \$650.00 and since no final board decision was reached in conjunction with either appeal filed on September 17, 2003 and July 26, 2004, Applicant believes no fee is due. However, if there should there be any fee necessary, the Commissioner is hereby authorized to charge such fees or credit any overpayment to Deposit Account No. 08-2789 in the name of Howard & Howard Attorneys, P.C.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.

Dated: February 26, 2007

/KRISTOPHER K. HULLIBERGER/

Kristopher K. Hulliberger, Registration No. 53,407
Howard and Howard Attorneys, P.C.
The Pinehurst Office Center, Suite 101
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151
(248) 723-1483